

DOCKET NO.: C1040.70006US00

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

McCluskie et al.

Serial No.:

09/316,199

Confirmation No.:

7506

Filed:

May 21, 1999

For:

METHODS AND PRODUCTS FOR INDUCING

MUCOSAL IMMUNITY

Examiner:

Dave Trong Nguyen

Art Unit:

1632

# CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 4<sup>th</sup> day of March, 2005.

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Supplemental Information Disclosure Statement/PTO Form 1449
- Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check in the amount of \$180 is enclosed. If additional fees are required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted, McCluskie et al., Applicant

Maria A. Trevisan, Reg. No. 48,207

Wolf, Greenfield & Sacks, P.C. 600 Atlantic Avenue

Boston, Massachusetts 02210-2206

Telephone: (617) 646-8000

Docket No.: C1040.70006US00

Date: March 4, 2005

**xNDDx** 

874156.1

1632 (fu



DOCKET NO.: C1040.70006US00

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

McCluskie et al.

Serial No.:

09/316,199

Confirmation No.:

7506

Filed:

May 21, 1999

For:

METHODS AND PRODUCTS FOR INDUCING

MUCOSAL IMMUNITY

Examiner:

Dave Trong Nguyen

Art Unit:

1632

# **CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 4th day of March, 2005.

Michelle M. Quinn

## MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

# PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed after a first Office Action after the filing of a request for continued examination, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.

03/08/2005 RFEKADU1 00000027 09316199

01 FC:1806

180.00 OP

874156.1

Serial No.: 09/316,199 -2 - Art Unit: 1632

Conf. No.: 7506

# **PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

# PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

- 1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- 2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- 3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Conf. No.: 7506

Docket No.: C1040.70006US00

Date: March 4, 2005

xNDDx

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted, McCluskie et al., Applicant

Maria A. Trevisan, Reg. No. 48,207

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

Telephone: (617) 646-8000

		<u>/c</u>	IPE					
FORM PTO 1/40/A and R		Madi <b>MAR</b> 0 7 2005		APPLICATION NO.:	NO.: 09/316,199 ATTY. DOCKET NO.: C1040.70		C1040.70006US00	
FORM PTO-1449/A and B (MgdiMAR) 0 7 2005, INFORMATION DISCLOSURE STATEMENT BY APPELEANT			Ā	FILING DATE:	May 21, 1999	CONFIRMATION NO.: 7506		
			APPLICANT:	McCluskie et al.				
				CDOLID ADTIBUT.	1622	EVALUED.	Davis Trans Na	
Sheet	1	of	1	GROUP ART UNIT:	1632	EXAMINER:	Dave Trong Nguyen	

# U.S. PATENT DOCUMENTS

Examiner's	Cite	U.S. Patent Docum	ent	Name of Patentee or Applicant of Cited	Date of Publication or of issue of Cited Document MM-DD-YYYY	
Initials	No.	Number	Kind Code	Document		
		US 2004/0013688	A1	Wise et al.	01-22-2004	
			_			

#### FOREIGN PATENT DOCUMENTS

Examiner's	Cite	Foreign Patent Document			Name of Patentee or Applicant of Cited	Date of Publication of	Translation
Initials	No.	Office/ Country	Number	Kind Code	Document (not necessary)	Cited Document MM-DD-YYYY	(Y/N)
						**	

#### OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Transl (Y/	
			I	

EXAMINER:	DATE CONSIDERED:
	I

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

<sup>\*</sup>a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).